

## **FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** November 14, 2013

**Agenda Item:** Unlocking State Lands Program Administrative Rules

**Division:** Wildlife

**Action Needed:** Approve Proposing Rule

**Time Needed on Agenda for this Presentation:** 30 minutes

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### **Background**

The 2013 Legislature passed HB 444, establishing a program in which a private landowner who provides public access to a parcel of state land through a contractual agreement with FWP can receive a \$500 tax credit for each qualified access to state land, with a limit of \$2,000 per year. The law requires the Commission to adopt administrative rules for establishing contracts that address: a) duration of access; b) types of qualified access; and c) reasonable landowner-imposed restrictions. The law becomes effective Jan. 1, 2014, applies to tax years beginning after Dec. 31, 2013, and terminates Dec. 31, 2018. FWP intends to commence the administrative process of developing contracts with landowners upon adoption of final ARM.

### **Public Involvement Process & Results**

If approved, FWP would initiate administrative rulemaking, which would include a public comment period.

### **Alternatives and Analysis**

To carry out the new legislation, FWP must have a method by which lawful contracts can be negotiated with landowners to allow public access to state lands through this program. The proposed rules provide a means for complying with HB 444 to implement the Unlocking State Lands Program.

### **Agency Recommendation & Rationale**

FWP recommends the rules be proposed. The complete rulemaking process will take approximately four months to complete— including public comment, analysis of comments, Commission consideration and final decision.

### **Proposed Motion**

I move the Commission propose the Unlocking State Lands Program tax credit administrative rules as presented.